EX PARTE OR LATE FILED

HOGAN & HARTSON
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ORIGINAL

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September 28, 1998

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WASHINGTON, DC 20004-1109
TEL (202) 637-5600
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BY HAND DELIVERY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: Ex Parte
PR Docket No. 92-235

Dear Ms. Salas:

Attached for filing please find an original and one copy of a letter from Gary Ruark, Frequency Coordinator for the American Automobile Association (AAA), to D'wana Terry, Chief of the Public Safety and Private Wireless Division of the FCC's Wireless Telecommunications Bureau. The letter describes new interference concerns as well as AAA's recent efforts to use its frequencies more efficiently.

Please do not hesitate to call should you have any questions regarding this filing.

Sincerely,

Michele C. Farquhar

Enclosure

cc: Daniel Phythyon
Josh Roland
D'wana Terry
Ari Fitzgerald

No. of Copies rec'd 0+2
List A B C D E

Frequency Coordination

September 24, 1998

Ms. D'wana Terry
Chief, Public Safety and Private Wireless Division
Room 8010
2025 M Street, Northwest
Washington, DC 20554

RE: PR Docket No. 92-235

Dear Ms. Terry:

The American Automobile Association ("AAA") appreciates the opportunity to meet with you and other Bureau staff several weeks ago concerning AAA's critical use of land mobile radio frequencies for emergency road services as well as its recent interference problems.

Today I am writing to bring to your attention yet another interference issue that has arisen on the auto club frequencies – in this case, frequencies that AAA approved for the use of a statewide public safety organization in Tennessee. I would also like to highlight AAA's efforts to increase spectrum efficiency in order to make the best possible use of its few frequencies.

In several recent FCC meetings, AAA noted that it had previously assigned several of the auto club frequencies in several States to public safety users, upon their request, with the joint understanding that AAA would not allow other parties to use these frequencies. Under the new frequency coordination scheme established by the FCC's refarming proceeding, however, AAA no longer has sole control over these frequencies, as they are now part of the general Industrial/Business Pool.

As indicated by the attached letter from the State of Tennessee Department of Transportation ("TDOT") to the Association of Public Safety Communications Officials, International, TDOT is now experiencing interference problems and inappropriate assignments on the auto club channels it now uses. AAA remains concerned that not only its own operations, but those of public safety organizations using the auto club frequencies, will continue to experience these kinds of interference problems.

In addition, AAA would like to keep your office better informed about recent efforts to improve its use of the auto club frequencies. Specifically, although AAA regularly uses 14 simplex frequencies for emergency road service operations, it has begun upgrading and maximizing its use of these channels through at least three efficiency-enhancing techniques.

Frequency Coordination, M/S 15, 1000 AAA Drive, Heathrow, Florida 32746-5063
Telephone: (407) 444-7786, FAX: (407) 444-7749 or (407) 444-7380

First, AAA is in the process of implementing a change from primarily mobile analog voice to mobile digital data communications. AAA and Mentor Engineering of Calgary, Canada have developed and tested data equipment that functions on the auto club simplex frequencies. This new system will allow AAA to increase its dispatching efficiencies three-fold without increasing the number of frequencies.

Second, AAA has been working with Padcom, a Pennsylvania company that has developed a technology to increase spectrum efficiency on simplex frequencies, mirroring some of the best features of trunked systems without the accompanying cost, capacity or coverage concerns. The technology is a device that attaches to the base station and is capable of selecting multiple frequency solutions according to software design. Radio equipment can be shifted between different auto club frequencies to maximize productivity of the emergency road service vehicles. Therefore, it is possible to increase mobile radio units in service without the need for additional frequencies.

Finally, in 1997 AAA invested in a completely new computer aided dispatch system, designed in house, which configures its dispatches into data packets of extremely minimal size. This system is automated and permits more rapid dispatching, which allows AAA to transmit more dispatches per day on the auto club frequencies.

AAA believes that the new systems described here have or will permit it to achieve a five-fold increase in the productivity of the auto club frequencies. These new tools enable AAA to transmit 230 million or more packets of data over the auto club frequencies in a quasi-simplex mode, even though these frequencies are not well-suited to digital data communications. As noted above, these enhancements demonstrate AAA's commitment to spectrum efficiency while regularly using only 14 simplex frequencies to dispatch over 29 million emergency road service incidents annually.

Sincerely,

Gary Ruark

Gary M. Ruark,
American Automobile Association
Emergency Road Service, Technical Communications Specialist

cc: FCC Secretary, 1919 M Street, Wash., DC.
Michele Farquhar, Hogan and Hartson

attachments

Frequency Coordination, M/S 15, 1000 AAA Drive, Heathrow, Florida 32746-5063
Telephone: (407) 444-7786, FAX: (407) 444-7749 or (407) 444-7380

Attachment

State of Tennessee, Department of Transportation Information

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
NASHVILLE, TENNESSEE 37243

September 14, 1998

Joanne Hodges
Association of Public-safety Communications Officials, International.
2040 South Ridgewood Ave.
South Daytona, FL 32119

RE: Interference Complaint, 150.935 MHz.

Dear Ms. Hodges:

Please recall our telephone conversation today concerning interference to State of Tennessee Dept. of Transportation (TDOT) operations on frequency 150.9350 MHz. It is my understanding that your organization is now working with the FCC in mitigation of Public Safety Radio Communications interference situations.

This frequency, along with 150.9200 MHz., was licensed to the State of Tennessee for mobile (MO) and temporary base (FBT) statewide use under a waiver (90.23a) of the FCC rules in an application filed in mid-1997 through AASHTO. The application was filed with the Commission prior to the effective date of FCC's Second Report and Order 97-61. The two frequencies are now licensed to Tennessee in the Highway Maintenance (PH) service under callsign WPLU595, issued by FCC on 02/23/98 (copy attached).

In February, 1998, I wrote a blanket letter to the frequency coordinators of APCO, AASHTO, IMSA/PCIA, FCCA, AAA, American Assoc. of Railroads, ATA, FIA, ITA, ITLA, CSAA, UTC and others, listing all non-Public Safety (i.e. Business/Industrial) frequencies that the TN Department of Transportation had applied for and/or obtained licenses for. (APCO's copy of that letter is attached hereto.) In addition to listing the frequencies mentioned above, the letter explained the State of Tennessee's intent and use of these frequencies, along with specifying the towns and counties where each frequency was used in conjunction with fixed stations.

Since that time, several problem applications have been filed by commercial Tennessee applicants with the assistance of various Business/Industrial Pool frequency coordinators. Most of these could have caused serious adjacent channel interference to the non-Public Safety service frequencies in our system. But, resolutions to most of these offensive applications have been achieved by my talking with the applicants and by filing with FCC official Petitions to Deny licensing.

Just last week, it was discovered by my office that by some means, Anderson Logging Company of Dyersburg, TN had obtained license WPMB397, granted 05/12/98, on frequency 150.9350 MHz., the same frequency on which TDOT is licensed statewide.

I am hereby requesting APCO's participation in resolving this licensing error that has occurred due to an unfortunate oversight in the frequency coordination process. Operations by Anderson Logging Company on 153.9350 MHz. will very likely cause significant and intolerable interference to that of the State of Tennessee in Crocket, Dyer, Gibson, Haywood, Lake, Lauderdale, and Obion Counties. In these counties, this frequency is designated for use by the State for mobile-to-mobile, mobile-to-base, and mobile-to-mobile relay station (FB2) communications. And for the same reasons, significant interference to Anderson Logging Company's communications by TDOT's radio traffic will unavoidably occur if this situation is not corrected.

I can provide you with any further information you might need on short notice. Feel free to call me at 615-741-2277 or fax. me at 615-741-7224. Your assistance in mitigating this pressing matter is of great importance to the State of Tennessee and will be greatly appreciated.

Sincerely,

Michael A. Carroll, Sr.

Michael A. Carroll, Sr.
Radio Systems Manager
TDOT COMMUNICATIONS
6600 Centennial Blvd.
Nashville, TN 37243-0365

Copies: Tom Hayes, Director, TDOT Central Services
Tim Gary, TDOT Chief Council
Gary Ruark, AAA Frequency Coordinator
Larry Miller, AASHTO Frequency Coordinator
Paul Najarian, President, Land Mobile Communications Council
Karen Norton, ITA Spectrum Management Dept.
Allen Tellis, Attorney, Personal Communications Industry Assoc.
Eddie Anderson, Anderson Logging Co.
Chris Young, Owner, West Tennessee Communications

Federal Communications Commission
Gettysburg, PA 17325-7245

RADIO STATION LICENSE

Licensee Name: TENNESSEE, STATE OF

Radio Service: PH HIGHWAY MAINTENANCE
Call Sign: WPLU595 File Number: 9705D082827
Frequency Advisory No./Service Area: TNHHB02581

License Issue Date: 02/23/1998
License Expiration Date: 02/23/2003

Pagers: *******

980223N 479 1 1Z

TENNESSEE, STATE OF
TRANSP DEPT COMMUNICATIONS SECTION
6600 CENTENNIAL BLVD
NASHVILLE TN 37243-0365

REGULATORY STATUS: PMRS

FCC I.D.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Elevs	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
G:	150.92000	FBT	50	11K25F1E	75.000	75.000				
	150.93500	FBT	50	11K25F1E	75.000	75.000				
	150.92000	MO	1500	11K25F1E 20K0F3E	100.000	100.000				
	150.93500	MO	1500	11K25F1E 20K0F3E	100.000	100.000				

AREA OF OPERATION
SITE G: TN STATEWIDE

CONTROL POINTS: 6600 CENTENNIAL BLVD NASHVILLE TN
CONTROL POINT PHONE: 615-741-2277

SPECIAL COND: SEE ATTACHED #35, SP:WAIVER OF RULE 90.23(B) FOR INDEFINITE TERM APPROVED 2/17/98.

The latitude/longitude are authorized in North American Datum 1927 (NAD27). Additionally, the antenna height to tip, ground elevation, AAT and area of operation units are authorized in metric.

RECEIVED
MAR - 5 1998
D.O.T. COMMUNICATIONS SECTION

EMISSION DESIGNATOR(S) CONVERTED TO CONFORM TO DESIGNATOR(S) SET OUT IN PART 2 OF THE COMMISSION'S RULES.

PAGE 1 OF 1

FEDERAL COMMUNICATIONS COMMISSION

This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTIONS: 1) 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within 1 year 2) IVDS authorizations automatically cancel if service is not made available in accordance with Section 95.833(a) of the Commission's Rules 3) There are no time limitations for placing GMRS stations in operation.

FCC 574-L April 1996

Attn : ANDERSON LOGGING
Address : 2946 UPPER FINLEY ROAD
City : DYERSBURG St : TN
Zip Code : 38024-0000
Phone # : (901) 285-6340
Service : IG - CONVENTIONAL INDUSTRIAL/BUSINESS POOL
Elig Rule :
Fcc Id : 9802A014081

Issue Date : 05/12/98
Expiration Date : 05/12/03
Changed Date : 05/12/98
FAC # : 973460016
Vehic : 0 Air : 0
Port : 0 Mar : 0
Pager : 0

TX FREQ	CLASS	COUNTY	PWR	ERP	ELV	ANT	UNIT	LATITUDE	LONGITUDE
150.93500	FB2	DYER	50	150	276	79	1	36-02-31	089-25-15
157.48500	FX1		10	10	0	0	1	00-00-00	000-00-00
150.93500	MO	DYER	50	50	276	0	15	36-02-31	089-25-15
157.48500	MO	DYER	50	50	276	0	15	36-02-31	089-25-15

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
Communications Section
6400 Centennial Boulevard
Nashville, Tennessee 37243-0365

February 18, 1998

Association of Public-Safety Communications Officials International, Inc.
Frequency Coordination Dept.
2040 South Ridgewood Ave.
South Daytona, FL 32119

Dear Sir, Madam, or Ms.:

The State of Tennessee, Department of Transportation, is in the process of constructing a new, state-wide, radio communications system, operating in the VHF high-band spectrum. Some licenses have been granted while numerous applications are still pending at the FCC. All were applied for prior to the effective date of FCC's latest Report and Order 97-61 which created the two, new, Part 90 frequency pools (i.e. Public Safety and Industrial/Business).

In order to provide sufficient channels to fulfill the State of Tennessee's needs in creation of the new radio system, it was necessary to file requests for waivers which borrowed frequencies from several Non-Public Safety services. The contributing services were Automobile Emergency, Motor Carrier, and Railroad.

Realizing that the new Industrial/Business pool encompasses all frequencies from these services, we are enclosing a listing of the frequencies effected by our filings, along with the areas in Tennessee where they are used.

The affected frequencies and transmitter locations are as follows:

150.9200 MHz.	state-wide mobiles (including repeater inputs) and temporary bases Madison Co. near Jackson, Maury Co. at Theta, and Bledsoe Co. near Pikeville
150.9350	(*same as above*)
157.4700	Marshall Co. near Lewisburg, Perry Co. near Lobelville, and Maury Co. at Theta
157.4850	Northern Maury Co. at Theta

157.5000	Green Top Mtn. in Sevier Co. near Pigeon Forge and Knox Co. at Knoxville
159.4950	Short Mtn. in Cannon Co. near Woodbury and Bledsoe Co. near Pikeville
159.5850	Polk Co. near Benton and Bledsoe Co. near Pikeville
159.6750	Franklin Co. near Sewanee and Bledsoe Co. near Pikeville
159.8100	English Mtn. in Cocke Co. near Newport and Knox. Co. at Knoxville
159.9000	Montgomery Co. at Clarksville and Maury Co. at Theta
159.9450	Hinch Mtn. in Cumberland Co. near Crossville and Bledsoe Co. near Pikeville
159.9600	Signal Mtn. in Sequatchie Co. near Dunlap and Bledsoe Co. near Pikeville
159.9750	Hawkins Co. near Mooresburg and Knox. Co. at Knoxville
159.9900	Frozen Head Mtn. in Morgan Co. near Wartburg, Knox. Co. at Knoxville, Rutherford Co. near Murfreesboro, and Maury Co. at Theta
160.4250	Hardin County near Savannah and Madison Co. near Jackson

In good faith, we respectfully request your cooperation and that of all frequency coordinators in order to avoid interference to the Tennessee Dept. of Transportation's system as well as to the systems of all future co-channel licensees in and near our state.

If you would like to contact me about this or any related matter, I can be reached at 615-741-2277, 8:00 AM to 4:00 PM Central Time, Monday through Friday. Thank you for your assistance and consideration.

Sincerely

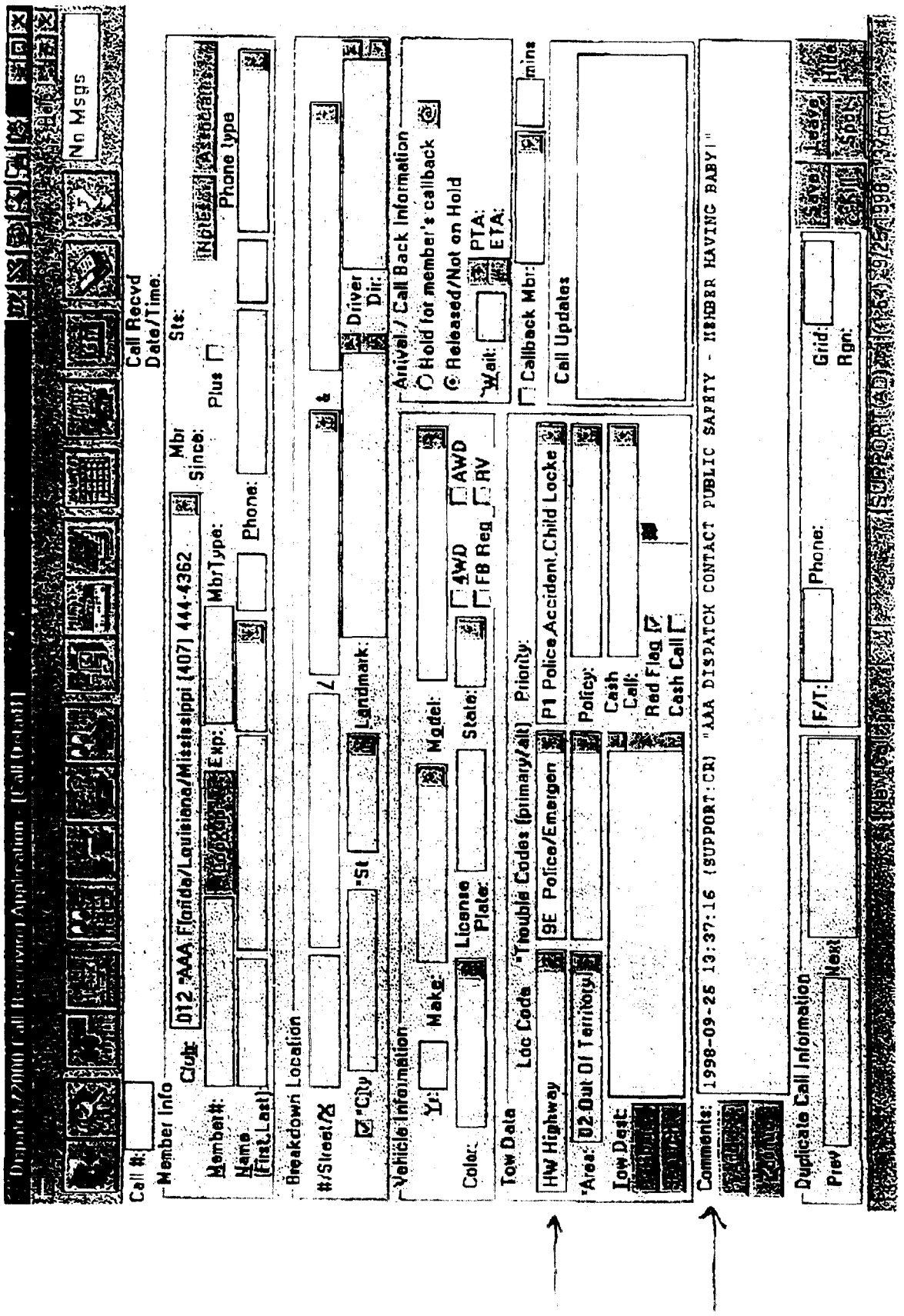
Michael A. Carroll, Sr.

Michael A. Carroll, Sr.
Radio Systems Analyst

copies: John Johnson, APCO
Larry Miller, AASHTO
Tom Hayes, TDOT Central Svcs. Div.

Attachment

Example of D/2000 dispatching screens for public safety responses:



Attachment

Example of D/2000 dispatching screens for public safety responses: